

**ANNUAL REPORT
OF THE
INDIANA COMMISSION ON
MENTAL RETARDATION AND
DEVELOPMENTAL DISABILITIES**



**Indiana Legislative Services Agency
200 W. Washington St., Suite 301
Indianapolis, Indiana 46204-2789**

December, 1998

Indiana Commission on Mental Retardation and Developmental Disabilities

Membership Roster

Representatives

Sheila Klinker, Chair
Lafayette

Robert Alderman
Fort Wayne

Senators

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Goshen

Rose Antich
Merrillville

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New Castle

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Sally Lowery
Terre Haute

Thomas VanMeter
Larwill

Legislative Services Agency Staff

Ron Sobecki
Fiscal Analyst for the Commission

Carrie Cloud
Attorney for the Commission

A copy of this report is available on the Internet. Reports, minutes, and notices are organized by committee. This report and other documents for this Commission can be accessed from the General Assembly Homepage at <http://www.state.in.us/legislative/>.

I. STATUTORY DIRECTIVE

The Commission on Mental Retardation and Development Disabilities (MRDD) was created by P.L. 78-1994. The Commission is charged with the responsibility of developing a long-range plan for community-based services. A second responsibility is to review, make recommendations, and monitor changes regarding services to the mentally retarded and developmentally disabled population. P.L. 245-97 amended the original legislation and extended the life of the Commission to January 1, 2001.

II. INTRODUCTION AND REASONS FOR STUDY

The creation of the MRDD Commission in P.L. 78-1994 was a response to the need for long-range planning and the determination of needs for people with disabilities. Two specific areas to be studied include the provision of residential services and the need for work-related services for persons with disabilities.

III. SUMMARY OF WORK PROGRAM

The Commission on Mental Retardation and Developmental Disabilities met five times.

The first meeting was held June 22, 1998. Discussion topics at the meeting included: (1) an update on the closing of the New Castle and Northern Indiana Developmental Centers, (2) the placements of individuals from the New Castle and Northern Indiana Developmental Centers, and (3) an update on the 317 Task Force created by SB 317-1997.

The second meeting was held jointly with the Commission on Autism on July 15, 1998. The Commission heard testimony on the Comprehensive Plan for the Design of Services for People with Developmental Disabilities developed by the 317 Task Force. The Commission also heard testimony from the American Federation of State, County, and Municipal Employees (AFSCME) regarding AFSCME's position on the 317 Task Force Report.

The Commission met for the third time August 17, 1998. This meeting was a joint meeting with the Commission on Autism. The Commission heard testimony on the placement problems faced when a child in need of services (CHINS) is developmentally disabled and reaches the age of 18. Testimony was also presented concerning the cost of providing services to all the developmentally disabled individuals who are on the waiting list for services. The Commission also discussed preliminary draft legislation.

The fourth meeting was held September 21, 1998. The Commission discussed preliminary draft legislation.

The fifth meeting was held on December 8, 1998. The Commission heard testimony concerning individuals with vision disabilities and also discussed preliminary draft legislation.

IV. SUMMARY OF TESTIMONY

The Committee heard testimony on the following topics:

New Castle Developmental Center

The New Castle Developmental Center was scheduled to be closed on July 31, 1998. The New Castle Developmental Center had 164 residents that needed new placements and all but 15 residents will be placed in community settings. Those 15 individuals will be placed in other state developmental centers.

Northern Indiana State Developmental Center

The Northern Indiana State Developmental Center is due to close on December 30, 1998. There are 51 individuals in the Developmental Center that will need new placements.

317 Task Force

Ms. Kathy Davis, Secretary, Family and Social Services Administration, (FSSA) is the chair of the 317 Task Force. The 317 Task Force presented the Commission with its completed plan entitled the Comprehensive Plan for the Design of Services for People with Developmental Disabilities. The 317 Task Force is also developing a communication plan to inform the public of the recommendations made by the Task Force. There was also discussion regarding extending the Task Force for two more years.

Comprehensive Plan for the Design of Services for People with Developmental Disabilities

Key recommendations of the plan include the following:

- A continued emphasis on person centered services and planning.
- A redirection of resources.
- Assuring and improving the quality of services to the developmentally disabled.
- A need to expand community capacity to provide services for individuals in the community.
- The need to secure the necessary financial resources to expand services for individuals with developmental disabilities.

The plan recommends a need for an additional \$14.2 million in funding for FY 2000 and \$24.9 million in FY 2001. The FSSA has developed a new formula for Medicaid funding that will shift \$7 million in the cost of service provision from the state to the federal government. The FSSA stated that it is possible that the \$7 million could be used to fund part of the additional new funding needs.

V. COMMITTEE FINDINGS AND RECOMMENDATIONS

At the December 8, 1998, meeting the Commission made the following recommendations:

The Commission voted 9 to 0 to recommend **PD 3978** to the General Assembly. This preliminary draft would appropriate \$75 million in FY 2000 and \$86 million in FY 2001 to provide services to the mentally retarded and developmentally disabled. The appropriations would be an increase in funding in FY 2000 of \$14 million and an increase of \$25 million in FY 2001.

The Commission voted by a vote of 9 to 0 to recommend **PD 3964** to the General Assembly. This draft requires the Division of Disability, Aging, and Rehabilitative Services to establish a program to monitor and assure quality assurance in the delivery of services to individuals with developmental disabilities. The preliminary draft also establishes an Indiana Quality Assurance Council and requires the Council to study issues relating to the delivery of services to individuals with developmental disabilities.

The Commission voted 9 to 0 to recommend **PD 3971**, as amended, to the General Assembly. The preliminary draft requires the Office of Medicaid Policy and Planning to apply to the United States Department of Health and Human Services for approval to permit Indiana to allow Area Agencies on Aging to authorize the expenditure of Medicaid funds for individuals who are eligible for a Medicaid waiver.

The Commission voted 9 to 0 to recommend **PD 3392** to the General Assembly. This preliminary draft would appropriate \$2 million a year to the Emergency Support Fund. The Emergency Support Fund is used to provide services to individuals with developmental disabilities in a crisis situation.

The Commission voted 8 to 1 to recommend **PD 3611** to the General Assembly. The preliminary draft establishes a statewide waiver ombudsman program for individuals with waivers under the federal home and community based services program.

WITNESS LIST

Deborah Wilson, Division of Disability, Aging and Rehabilitative Services
Kathy Davis, Secretary, Family and Social Services Administration
John Dickerson, ARC of Indiana
Cordelia Lewis, AFSCME
Jeff Darling, President, Wabash Center
Suzann Shackleton, Social Worker
Linda Wilson, Parent
Dan Harshman, Logan Center
Costa Miller, IN-ARF
Karen Vaughn
Lauren Polite, Legislative Liaison, Family and Social Services Administration
Kelly Schneider
Senator Robert Jackman
Debra Browning